

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

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Case No. 1:20-mj-425

Priority Mail, Tracking Number, 9505 5163 3632 0162 5013 84,
addressed to Sarah Lucido, 1854 Tilden Avenue., Norwood OH
45212, with a return address of Mike Diaz, 4157 E Agave Rd,
Phoenix, AZ 85044.

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APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

Priority Mail, Tracking Number, 9505 5163 3632 0162 5013 84, addressed to Sarah Lucido, 1854 Tilden Avenue., Norwood OH 45212, with a return address of Mike Diaz, 4157 E Agave Rd, Phoenix, AZ 85044.

located in the Southern District of Ohio, there is now concealed (*identify the person or describe the property to be seized*):
A quantity of a controlled substance and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Section 841(a)(1).

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

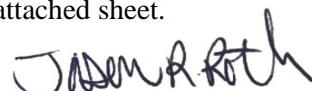
The search is related to a violation of: Title 21

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. 841 (a) (1)	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Jason R. Roth

- Continued on the attached sheet.
- Delayed notice ____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Jason R. Roth, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

(via electronic means)

Date: Jun 15, 2020

City and state: Cincinnati, Ohio

Karen L. Litkovitz
Karen L. Litkovitz
United States Magistrate Judge



AFFIDAVIT

I, Jason R. Roth, having been duly sworn, depose and state:

1. I am a United States Postal Inspector, having been so employed since February 23, 2013. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the United States Postal Inspection Service (“USPIS”) with investigative responsibility for southwest Ohio and northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the illegal transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.
2. I completed United States Postal Inspection Service Basic Training in May 2013. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the United States Mail. In addition to this formal training, I have worked since May 2013 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification.
3. This Affidavit is made in support of a search warrant for the following property, namely a package associated with the following United States Postal Service (“USPS”) Priority Mail, Tracking Number:

- a. **9505 5163 3632 0162 5013 84** (the “Package”)

This Affidavit is made in support of a warrant to search the Package for evidence of a crime as well as contraband, fruits of a crime or other items illegally possessed in relation to the following offense:

- a. Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, § 841.

Because this Affidavit is submitted in support of the application of the United States to search the Package, it does not include every fact known concerning this investigation. I have set forth facts and circumstances that I have relied upon to establish probable cause to justify the issuance of a warrant to search the Package. The Package is currently being held at the USPIS Cincinnati Field Office.

4. Through my training and experience, I have become aware that drug traffickers frequently use Priority Mail Express and/or Priority Mail, services offered by the USPS, to transport narcotics and other dangerous controlled substances. As a result of investigations and successful controlled substance prosecutions where Priority Mail Express and/or Priority Mail were used, I have learned of certain characteristics indicative of other Priority Mail Express and/or Priority Mail items previously identified as containing narcotics or other dangerous controlled substances. Some of these characteristics include (but are not necessarily limited to or used on every occasion): false or non-existent return address, addressee is not known to receive mail at the listed

delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

5. On or about June 12, 2020, I identified and intercepted the Package from the Cincinnati Network Distribution Center.

The Package is further described as:

Priority Mail, Tracking Number: 9505 5163 3632 0162 5013 84

Weighing approximately 2 pounds and 11 ounces in reused brown Amazon box.
Postage paid for was \$20.00.

Sender: Mike Diaz
4157 E Agave Rd,
Phoenix, AZ 85044

Addressee: Sarah Lucido
1854 Tilden Avenue,
Norwood, Ohio 45212

6. I observed the Package and reviewed USPS tracking information of the Package, which indicated it was mailed from the Arcade Post Office, Los Angeles, CA 90013, however the return address indicates Phoenix, AZ 85044. On the side of the Package, I saw a previous label on the Package bearing the last name of “Diez”, compared to “Diaz” in the return address.
7. I searched the CLEAR database for the listed return address of the Package: Mike Diaz, 4157 E Agave Rd, Phoenix, AZ 85044. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. The information obtained from the system indicated there no Diaz or Diez associated with that address.
8. I searched the CLEAR database for the listed addressee of the Package: Sarah Lucido, 1854 Tilden Avenue, Norwood Ohio 45212. The information obtained from the system indicated there is no Sarah Lucido associated with that address.
9. On or about June 12, 2020, I arranged for Deputy Nick Poole, Hamilton County Sheriff’s Office, to utilize a narcotics canine to check the Package. Deputy Poole and his canine “Akim” are a currently certified narcotics team. The team is certified by the Ohio Peace Officer Training Commission and the Ohio Office of the Attorney General. Deputy Poole reports that “Akim” passed all of his examinations and has successfully located hidden drugs in the past and therefore I consider “Akim” to be reliable. I met Deputy Poole at the USPIS Cincinnati Field Office, where the Package was placed in a separate office among several other similar packages and presented to narcotic canine, “Akim”, who alerted

positively to the presence or odor of a controlled substance upon the Package. Attached herewith, and incorporated by reference, is a photocopy of the narcotic canine handler's record of examination.

10. Based upon my experience and training, this information, along with the positive alert of narcotic canine "Akim" is indicative of the Package containing narcotics or proceeds relating thereof.
11. Based upon the information contained in this Affidavit, I believe that there is probable cause to believe that the Package will contain evidence and/or contraband, fruits of crime, or other items illegally possessed. Therefore, a search warrant to open the Package is requested.

Further, your Affiant sayeth naught.

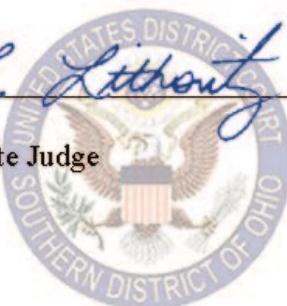


Jason R. Roth
U.S. Postal Inspector

Subscribed and sworn to and before me this 15 day of June, 2020



Karen L. Litkovitz
United States Magistrate Judge





United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

I, DEPUTY N. POOLE, AM, AND HAVE BEEN, EMPLOYED BY THE HAMILTON COUNTY SHERIFF'S OFFICE, SINCE 2004. AMONG OTHER DUTIES, I AM CURRENTLY THE ASSIGNED HANDLER OF NARCOTICS DETECTION CANINE "AKIM", WHICH IS TRAINED AND CERTIFIED IN THE DETECTION OF THE PRESENCE OR ODOR OF NARCOTICS DESCRIBED AS FOLLOWS:

Marijuana, Hashish, Cocaine, Heroin, Methamphetamines, Ecstasy

ON 06/12/2020, AT THE REQUEST OF POSTAL INSPECTOR J.R. ROTH I RESPONDED TO THE US POSTAL INSPECTION SERVICE CINCINNATI FIELD OFFICE WHERE "AKIM" DID ALERT TO AND INDICATE UPON THE FOLLOWING DESCRIBED ITEM:

USPS Priority Mail, USPS Tracking Number: 9505 5163 3632 0162 5013 84, addressed to Sarah Lucido, 1854 Tilden Avenue, Norwood OH 45212 with a return address of Mike Diaz, 4157 E Agave Rd, Phoenix, AZ 85044.

BASED ON MY TRAINING AND EXPERIENCE AND THAT OF "AKIM", I CONSIDER THE ABOVE DESCRIBED ITEM TO CONTAIN WITHIN OR UPON THE PRESENCE OR ODOR OF A NARCOTIC OR OTHER DANGEROUS CONTROLLED SUBSTANCE.


(Signature and Date)

6/12/2020